

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Roger Smith,)	C/A No.: 3:17-680-MBS-SVH
)	
Plaintiff,)	
)	
vs.)	
)	ORDER
Catherine Robison, Individually as an)	
officer with the City of Columbia Police)	
Department; and Todd Coey,)	
Individually as a State Constable,)	
)	
Defendant.)	
)	

This matter comes before the court on the motion [ECF No. 23] of Defendants Robison and Coey (“Defendants”) for sanctions against Roger Smith (“Plaintiff”) for failure to participate in discovery or comply with the court’s April 30, 2018 order. [ECF No. 23]. For the following reasons, Plaintiff is directed to show cause by May 30, 2018, why the court should not grant Defendants’ motion for sanctions and why this case should not be dismissed for failure to prosecute.

On April 26, 2018, Defendants filed a motion to compel Plaintiff to produce responses to Defendants’ First Set of Interrogatories and First Set of Requests for Production (“Original Discovery Requests”) and Supplemental Interrogatories and Requests for Production (“Supplemental Discovery Requests”). [ECF No. 19]. The motion indicated that the Original Discovery Requests were served on Plaintiff on August 28, 2017. *Id.* The motion further indicated that defense counsel served the Original Discovery

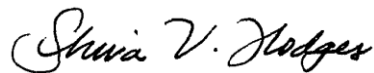
Requests and the Supplemental Discovery Requests on January 17, 2018, and that Plaintiff had failed to respond to any of the requests. [ECF No. 19].

On April 30, 2018, the undersigned granted Defendants' motion to compel and directed Plaintiff to provide responses to the discovery requests by May 14, 2018. [ECF No. 21]. The order advised Plaintiff that failure to comply with the court's order may result in a recommendation that his case be dismissed for failure to participate in discovery and/or sanctions, including payment of Defendants' attorneys' fees and costs in preparing such motions. *Id.* According to Defendants' motion for sanctions, Plaintiff failed to comply with the court's order.

Accordingly, Plaintiff is directed to show cause by May 30, 2018, why this case should not be dismissed for failure to prosecute and/or sanctions, including payment of Defendants' attorneys' fees and costs in preparing such motions. *Id.* Plaintiff's failure to respond by May 30, 2018 will result in a recommendation that this case be dismissed with prejudice for failure to prosecute.

IT IS SO ORDERED.

May 17, 2018
Columbia, South Carolina

A handwritten signature in black ink, reading "Shiva V. Hodges". The signature is written in a cursive, flowing style.

Shiva V. Hodges
United States Magistrate Judge